

Federal Express: 832318317674

990751

December 8, 2003



Mr. Mathew Allen, Emergency Response Coordinator
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023

**SUBJECT: NOVA Chemicals – Bayport Site
Final Report for June 11, 2003 Incident
Site Investigation Data Report: “Offsite Ditch and West Ditch”
TCEQ Solid Waste Registration No. 39186**

Dear Mr. Allen:

As a result, of the June 11, 2003 process fire that occurred at our Bayport facility, NOVA Chemicals conducted a detailed subsurface investigation in an effort to delineate any residual contamination arising from the incident. As a result of the investigation, NOVA Chemicals has determined that no residual contamination has occurred above protective concentration levels either on the adjacent property or within the adjacent ditches.

Per 30 TAC 327.5, NOVA Chemicals has documented the investigation in the enclosed the report titled “Site Investigation Data Report -- Offsite and West Ditch”. As described in the report, a total of 101 soil samples were obtained before and after excavation from 71 sample locations, as noted on Figures 3.1.1-1 and 3.1.1-2. Specifically, post-excavation or confirmation samples show that NOVA Chemicals has cleaned up the specific areas in this report to background or pre-spill conditions and requires no further action as stated in 30 TAC 327. All offsite ditches and adjacent properties have been cleaned to protective concentration levels. Also attached is the Ecological Tier 1 Exclusion Checklist and Chapter PCL Eligibility Checklist with Figures 1 and 2.

During the June 11 fire event, a heater stack collapsed, damaging a heavy fuel oil pipe. The heavy fuel oil spilled into firewater in an adjacent ditch. Some of the contaminated firewater exited through storm water Outfall 001 to the county ditch north of the site. NOVA Chemicals reported a storm water bypass to the appropriate agencies when we discovered water was leaving the site. The water in the offsite ditch was contained and removed for treatment. Over 800,00 gallons of wastewater were disposed of at an off-site disposal facility with the remainder of the water treated onsite then routed to a Publicly Owned Treatment Works. Potentially contaminated soils were removed as directed by the TCEQ Emergency Response Coordinator. Over 6,412 tons of non-hazardous soils were sent to a Class 1 landfill in Atascocita, Texas.



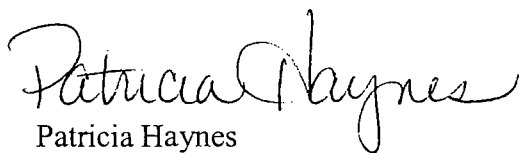
Mr. Mathew Allen, TCEQ
December 8, 2003
Page 2 of 2

NOVA Chemicals' Emergency Response Plan was activated and notifications were made per the SPCC and RCRA Contingency Plan guidelines. The Channel Industries Mutual Aid (CIMA) responded with firefighters and equipment from neighboring industries. There were no injuries as a result of the fire. Ditch dikes were immediately built to prevent a firewater release to the waterways. One original dam broke through and additional dikes were placed along the Harris County ditch as well as areas within the Port of Houston's property. See the Location Map in Figure 1-1 in the enclosed report.

NOVA Chemicals would like to specifically thank you as well as the many other agency representatives (HCPCD and U.S. EPA) that aided NOVA Chemicals during this difficult event.

If there are any additional questions regarding this incident, please contact Ms. Sasha Easley of my staff at (281) 474-1609.

Sincerely,



Patricia Haynes
Leader, Responsible Care
NOVA Chemicals Bayport Facility

cc: EPA Region 6
Mr. Paul Newman, HCPCD